

MINUTES

**CITY OF IMPERIAL BEACH
CITY COUNCIL
PLANNING COMMISSION
PUBLIC FINANCING AUTHORITY
HOUSING AUTHORITY
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

APRIL 5, 2017

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

**CLOSED SESSION MEETING – 5:00 P.M.
REGULAR SESSION MEETING – 6:00 P.M.**

CLOSED SESSION MEETING CALL TO ORDER

Mayor Dedina called the Closed Session meeting to order at 5:02 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present:	West, Patton, Spriggs
Councilmembers absent:	None
Mayor present:	Dedina
Mayor Pro Tem absent:	Bragg
Staff present:	City Manager Hall, City Attorney Lyon, City Clerk Hald

CLOSED SESSION

1. THREAT TO PUBLIC SERVICES OR FACILITIES

Consultation with County of San Diego Sheriff's Lieutenant pursuant to Government Code section 54957(a).

Mayor Dedina reconvened the meeting to Open Session at 6:00 p.m.

Reporting out of Closed Session, City Attorney Lyon announced City Council discussed Closed Session Item No. 1 and no reportable action was taken. Item Nos. 2 and 3 will be continued after the Regular Meeting.

REGULAR MEETING CALL TO ORDER

Mayor Dedina called the Regular Meeting to order at 6:01 p.m.

ROLL CALL

Councilmembers present:	West, Patton, Spriggs
Councilmembers absent:	None
Mayor present:	Dedina
Mayor Pro Tem absent:	Bragg
Staff present:	City Manager Hall, City Attorney Lyon, City Clerk Kelly, Assistant City Manager Dush

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by U.S. Army Private Alejandro Sosa-Lopez.

AGENDA CHANGES

None.

**MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY
ANNOUNCEMENTS/REPORTS ON ASSIGNMENTS AND COMMITTEES**

Councilmember Spriggs reported the Metro Wastewater Joint Powers Authority (JPA) is holding its monthly meeting tomorrow. A key issue that will be considered is the effort by the City of San Diego to accelerate plans and capital expenditures for the Pure Water Program in advance of the JPA considering those cost increases. He reported on his attendance at the League of California Cities Policy Committee meeting in Ontario, California. He announced the International Boundary and Water Commission (IBWC) issued their report on the sewage spill which did not address in detail the remedies needed to prevent future spills. The IBWC Citizens Forum Board will review the report at an upcoming meeting.

Councilmember Patton reported on his attendance at the Elm Avenue Ribbon Cutting Ceremony and he spoke about how the project enhanced the area and made it safer for the students. He announced that on April 8 the South Bay Union School District is holding their Innovation Expo and the San Diego Small Business Forum is hosting IB Derby Daze.

Councilmember West reported he was a panel member at the Water Education for Latino Leaders event, participated in the Third Clean City Initiative, attended the SANDAG Bayshore Bikeway meeting, and met with Kindergarteners at Valencia Park. He announced the Annual Easter Egg Hunt is on April 15, the Clean Water March is on April 29, the Library Grand Opening is on April 15, and a kickoff event at Bikeway Village is on June 4.

Mayor Dedina shared positive comments about the Elm Avenue Project. He gave an update on the sewage issue noting that he and City staff shared concerns with IBWC Commissioner Drusina that the IBWC was not responding sufficiently to the residents on this side of the border and that the IBWC needs to step up their efforts to protect our interests and our community. He also stated that the following needs to happen to address the sewage issue: 1. Investment in a sewage infrastructure plan for Tijuana and 2. A backup sewage diversion system is on the US side of the border to capture sediment, trash, and sewage flows. He thanked City Council and City staff for their unwavering efforts on the issue. He announced Herbert Taft with the County of San Diego Sheriff's Department was promoted to Captain.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

June Engel introduced Barbara Walters, Library Technician I.

Jake Torres offered an energy retrofit study.

Linda Heath requested more frequent testing of the water and to begin testing of the sand (additional speaking time donate by Steph Pate).

PRESENTATIONS (1.1)

1.1 PRESENTATION ON NAVY MATTERS BY CAPTAIN MULVEHILL (NAVAL BASE CORONADO COMMANDING OFFICER). (0620-80)

Captain Mulvehill gave a PowerPoint presentation on the Coastal Campus SR-75 Intersection signalization; Navy V-22 Environmental Assessment; Environmental Programs and the need to protect endangered species; and the hot line for sharing community concerns. In response to questions regarding traffic, he stated that he did not expect cars that are entering and exiting the Coastal Campus to impact rush hour traffic, the traffic that accesses the southern entrance to the base will remain at the current level and all of the other units will use the northern entrance, and the staggering of work hours will alleviate some of the traffic impacts. He also stated there are biologists monitoring the Least Terns, construction on the intersection will begin in

September, and installation of the light is not known at this time. With regard to dogs on the beach, the California Department of Fish and Wildlife will patrol and enforce the area. .

Mayor Dedina commented on the Navy's sustainability efforts by using solar panels and repurposing concrete. He also spoke about their commitment to resiliency and their efforts to adapt to sea level rise. He had positive comments about how the Navy evaluates their operations for effectiveness and efficiency.

CONSENT CALENDAR (2.1-2.8)

MOTION BY SPRIGGS, SECOND BY WEST, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THROUGH 2.8. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: SPRIGGS, PATTON, WEST, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BRAGG

2.1 MINUTES.

City Council approved the Special Meeting Minutes of February 27, 2017 and March 1, 2017 and the Regular Meeting Minutes of March 1, 2017.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

City Council ratified the warrant register.

2.3 ADOPTION OF RESOLUTION NO. 2017-7788 AUTHORIZING THE FIRE CHIEF TO EXPEND FUNDS FOR THE PURCHASE AND INSTALLATION OF A REPLACEMENT FIRE STATION ALERTING SYSTEM. (0910-40)

City Council adopted Resolution No. 2017-7788.

2.4 RESOLUTION NO. 2017-7785 CONFIRMING THE PREVIOUSLY APPROVED FISCAL YEAR 2017/2018 INTEGRATED SOLID WASTE RATE ADJUSTMENTS IN ACCORDANCE WITH THE 5-YEAR RATE SCHEDULE ADOPTED BY RESOLUTION 2015-7579. (0270-40)

City Council adopted Resolution No. 2017-7785.

2.5 RESOLUTION NO. 2017-7786 DECLARING APRIL AS "ENVIRONMENTAL AWARENESS MONTH" IN THE CITY OF IMPERIAL BEACH. (0230-40)

City Council adopted Resolution No. 2017-7786.

2.6 RESOLUTION 2017-7787 CONTINUING THE PROCLAMATION OF A STATE OF LOCAL EMERGENCY RELATING TO IMPACTS FROM CROSS-BORDER POLLUTION IN THE TIJUANA RIVER. (0150-40 & 0210-26)

City Council adopted Resolution No. 2017-7787.

2.7 RESOLUTION NO. 2017-7790 APPROVING THE ENGINEER'S REPORT FOR PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS WITH SPECIAL ASSESSMENT DISTRICT AD-67M. (0345-10)

City Council adopted Resolution No. 2017-7790.

2.8 RESOLUTION NO. 2017-7791 DECLARING INTENT TO PROVIDE AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS IN A SPECIAL ASSESSMENT DISTRICT (AD 67M) AND SETTING A TIME AND A PLACE FOR THE PUBLIC HEARING THEREON. (0345-10)

City Council adopted Resolution No. 2017-7791.

ORDINANCES/INTRODUCTION & FIRST READING– (3.1)

3.1 AN INTRODUCTION OF ORDINANCE NO. 2017-1163, RENEWING THE PUBLIC, EDUCATIONAL AND GOVERNMENTAL (PEG) FEE IN SECTION 13.10.020(B) OF THE IMPERIAL BEACH MUNICIPAL CODE. (0800-10)

City Manager Hall reported on the item.

City Clerk Kelly read the title of Ordinance No. 2017-1163 “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, RENEWING THE PEG FEE IN SECTION 13.10.020(B) OF THE IMPERIAL BEACH MUNICIPAL CODE.”

MOTION BY SPRIGGS, SECOND BY WEST, TO INTRODUCE ORDINANCE NO. 2017-1163 BY TITLE ONLY AND WAIVE FURTHER READING OF THE ORDINANCE. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: SPRIGGS, PATTON, WEST, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BRAGG

PUBLIC HEARINGS (4)

None.

REPORTS (5.1-5.3)

5.1 UNIFIED PORT OF SAN DIEGO – STREET ENDS & COMFORT STATION. MF 1160 & 1209. (0150-70)

Councilmember Spriggs announced that he has a potential conflict of interest because he lives near two of the street ends. In order to avoid any appearance of involvement, he recused himself from participation in the item and left Council Chambers at 7:05 p.m.

City Planner Foltz gave a PowerPoint presentation on the item.

Councilmember Patton commented that if Carnation Ave. is considered, he supported the simple version (Option A). With regard to Ebony Ave., he suggested that the new hotel be responsible for the improvements. For the design of the comfort stations, he supported option 2. He spoke in support for Beach Ave. street end location with a comfort station.

Councilmember West supported completion of a comfort station and street end at the same time but expressed concern about the loss of parking. Although Encanto is his preferred location, he spoke in support for the Beach Ave. location with keeping the comfort station as close to the street as possible.

In response to Mayor Dedina’s preference for the Encanto location, Marine Safety Captain Stabenow expressed concern about coastal flooding and the placement location due to the potential for double parking and for children running across the street to get to the comfort station.

Mayor Dedina expressed concern about the loss of parking spaces; he encouraged the use of colors that complement the blue color scheme of the new library; he was not in support of locating the comfort station towards the beach; he preferred Option 3 and having it closer to the street; he understood the need to choose a priority now (Beach Ave.) but he also supported continuing with improvements of the other Ebony, Elkwood and Carnation street ends in the future. He also spoke about the Beach Ave. location for a comfort station solo project.

Assistant City Manager Dush summarized City Council’s recommendation as follows:

1. Beach Ave., a dual project, design no. 3 (architectural), and having structure closer to the street;
2. He questioned, if the project is only a street end improvement which street end would be the priority between Ebony, Elkwood and Carnation;
3. If the project is only a restroom, the location would be Beach Ave. while making sure that there is no loss of parking;

4. Use of deep blue colors.

Mayor Dedina spoke in support of an aquatic design that is resilient and flood proof. He also stated that the City Council supports Phase 2: Ebony, Elkwood, and Carnation.

Assistant City Manager Dush stated staff can return with a final design with the overriding principle of a good design and minimal loss of parking and questioned which street end is City Council's preference.

Councilmember West spoke in support for Carnation Ave. with a simple design.

Mayor Dedina spoke in support for creating attractive areas to watch the sunset. He suggested a simple design such as the one at the Broadway Pier area in San Diego.

City Manager Hall explained the Port's CIP process and stated they are trying to identify a project that can be elevated quicker in the process.

Councilmember Patton spoke in support for Carnation Ave. His second option is Elkwood Ave.

Assistant City Manager Dush summarized City Council's recommendation as follows: Select Beach Ave. as a dual project (street end improvements and comfort station), Carnation Ave. for a street end only project (with Elkwood as an alternate), and Beach Ave. for a comfort station only project with the comfort station locating street-side rather than beach-side.

MOTION BY PATTON, SECOND BY WEST, TO VOTE ON THE PROPOSAL AS RECOMMENDED BY CITY COUNCIL INCLUDING THE ALTERNATIVES FOR PHASE 2. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: PATTON, WEST, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BRAGG
DISQUALIFIED: COUNCILMEMBERS: SPRIGGS

City Manager Hall suggested that City Council take Item No. 5.3 at this time because Councilmember Spriggs has a potential conflict of interest on the item.

5.3 APPROVAL OF RESOLUTION NO. 2017-7792 FOR A BUDGET AMENDMENT, APPROVAL OF REAL PROPERTY ACQUISITION PURSUANT TO A PURCHASE AND SALE AGREEMENT, AND ACCEPTANCE OF THE PROPERTY GENERALLY LOCATED AT 495 PALM AVENUE. (0840-10)

Assistant City Manager Dush gave a presentation on the item.

MOTION BY WEST, SECOND BY PATTON, TO APPROVE THE AGREEMENT FOR PURCHASE OF REAL PROPERTY BETWEEN THE CITY OF IMPERIAL BEACH AND SAWHNEY FAMILY LIMITED PARTNERSHIP (THE "PURCHASE AND SALE AGREEMENT"), AND APPROVE RESOLUTION NO. 2017-7792 TO AUTHORIZE THE BUDGET AMENDMENT OF \$1.1 MILLION, THE PROPERTY ACQUISITION, AND TO ACCEPT THE PROPERTY. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: PATTON, WEST, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BRAGG
DISQUALIFIED: COUNCILMEMBERS: SPRIGGS

Councilmember Spriggs returned to Council Chambers at 7:49 p.m.

5.2 RESOLUTION NO. 2017-7789: CONSULTANT SELECTION FOR COASTAL COMMISSION LCP GRANT. MF 1234. (0620-40)

The Purchase and Sale Agreement was submitted as last minute agenda information.

Assistant City Manager Dush reported on the item and recommended AECOM.

Councilmember Spriggs commented on the amount of work it took to review the detailed proposals and spoke in support for selecting AECOM.

MOTION BY WEST, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2017-7789 AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH AECOM CONSULTANTS AS PRIME CONSULTANT FOR THE COASTAL COMMISSION LOCAL COASTAL PROGRAM (LCP) GRANT THAT SUBSTANTIALLY FUNDS THE 2018 RESILIENT IMPERIAL BEACH (RIB) LCP/ GENERAL PLAN UPDATE PROJECT MF 1234. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: COUNCILMEMBERS: SPRIGGS, PATTON, WEST, DEDINA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: BRAGG

I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (6)

None.

ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)

None.

ADJOURN REGULAR MEETING

Mayor Dedina adjourned the Regular Meeting at 7:56 p.m.

CLOSED SESSION

Mayor Dedina reconvened the Closed Session at 7:56 p.m.

2 CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code section 54957.6:

Agency Designated Representatives: City Manager, City Attorney, Assistant City Manager, Human Resources Manager, Administrative Services Director

Employee Organization: Service Employees International Union (SEIU), Local 221

3 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Govt Code section 54956.9(d)(2)- (1 case)

Existing facts and circumstances pursuant to Govt Code section 54956.9(e)(3)

Mayor Dedina reconvened the meeting to Open Session at 8:52 p.m.

Reporting out of Closed Session, City Attorney Lyon announced City Council discussed Closed Session Item Nos. 2 and 3, direction was given and no reportable action was taken.

Mayor Dedina adjourned the Closed Session Meeting at 8:53 p.m.

_____/s/
Serge Dedina,
Mayor

_____/s/
Jacqueline M. Kelly, MMC
City Clerk